

**REMARKS/ARGUMENTS**

(i) Claim 1 now has a limitation of a platinum complex represented by any one of Formulas (6), (7) and (8) after deletion of Formulas (3) and (4) this time, and Formula (5) in the previous Response.

(ii) Claims 25 and 26 were canceled since Formulas (3) and (4) were deleted in Claim 1.

(iii) Other claims are the same as described in the Response submitted to the US PTO on March 4, 2011.

As discussed in the background of the invention, a practical EL element is required to emit light of high luminescence, with high efficiency and lower power. It is an object of the present invention to provide or enable such an EL element, with a long emission life.

The present claims are rejected based primarily on two different main references:

Brown et al.

(1) Claims 1, 12-14, 15, 17, and 23-26 are rejected under 35 USC 103(a) as being unpatentable over Brown et al., US 2004/0086743;

(2) Claim 16 is rejected under 35 USC 103(a) as being unpatentable over Brown in view of Sato et al. (US 2003/0218418);

(3) Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Brown in view of Iwakuma et al. (US 2004/0086745);

(4) Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Brown in view of Okada (US 2003/0091861);

(5) Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Brown in view of Stossel et al. (US 2004/0058194);

(6) Claim 21 is rejected under 35 USC 103(a) as being unpatentable over Seo et al. (US 2000/0086180) in view of Brown and Iwakuma; and

(7) Claim 22 is rejected under 35 USC 103(a) as being unpatentable over Seo in view of Brown and Stossel.

Kita

(1) Claims 1, 14-16, 23, 24 and 28 are rejected under 35 USC 103(a) as being unpatentable over Kita (JP2003/109758) in view of Brown;

- (2) Claim 17 is rejected under 35 USC 103(a) as being unpatentable over Sato in view of Kita and Brown;
- (3) Claim 18 is rejected under 35 USC 103(a) as being unpatentable over Kita, in view of Brown and Iwakuma;
- (4) Claim 19 is rejected under 35 USC 103(a) as being unpatentable over Kita, in view of Brown and Okada; and
- (5) Claims 20, 21, and 22 are rejected under 35 USC 103(a) as being unpatentable over a combination of references cited.

The platinum complex recited in claim 1 has a specific structure as are listed in the specification as follows:

Compound **61** (at page 41) for Formula (6)

Compound **5** (at page 31) for Formula (7)

Compound **72** (at page 46) for Formula (8)

These compounds each have a sterically hindered group at the 3<sup>rd</sup> position of the pyridine ring (Compound **61** and Compound **72**) or at the ortho position of the phenyl ring (Compound **5**). In these examples, an aryl group of which free rotation is blocked or an aromatic heterocycle group of which free rotation is blocked are surrounded with dotted lines.

The inventive effects obtained by an organic electroluminescence element incorporating one of these platinum complexes with a specifically hindered group are shown in Examples of the present specification.

OLED 2-8 (incorporating Compound **5**), OLED 2-26, OLED 2-27 and OLED 2-28 (incorporating Compound **72**) in Table 2 exhibited superior evaluation results with respect to other comparative samples.

The Examiner refers to case law to support the selection of a known material based on its suitability. However, none of the cited references, including the newly cited Brown, teach or suggest the platinum complex represented by any one of Formulas (6), (7) and (8). Nor is there an expectation that their use would result in or enable an electroluminescence device meeting the object of the present invention. Also, no combination of these references provides teaching to overcome the differences.

Brown listed in Figure 6 (for example, 2<sup>nd</sup> and 3<sup>rd</sup> compound) examples of the partial structure. The 2<sup>nd</sup> compound has 2,6-dimethyl phenyl group at the meta position of the phenyl ring,

and the 3<sup>rd</sup> compound has 2,4,6-trimethyl phenyl group at the meta position of the phenyl ring. None of these structures, including other structures in other part of Brown, teach or suggest the group substituted at the specific position of the phenyl ring or the pyridine ring. The Examiner's reasoning requires modification of Brown to something not shown or suggested without an expectation of success for the present invention objects or for the Brown objects.

Kita and other references cited by the Examiner also fail to show or suggest the structure of Formulas (6), (7) and (8).

A person of ordinary skill in the art will not conceive the structure of Formulas (6), (7) and (8) by looking at Brown, Kita or any combination with the other cited references by the Examiner.

The secondary act does not supply the missing teaching, even when taken in combination with Kita or in combination with Brown. It is therefore submitted that the claims are not shown or suggested by the combined art.

Reconsideration and allowance of the above-identified application are requested.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

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Respectfully submitted,



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